

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23th day of July, two thousand and thirteen,

Annie TUMMINO, *et al.*, Plaintiffs-Appellees,

STIPULATION

vs.

Docket Number: 13-1690-cv

Margaret HAMBURG, *et al.*, Defendants-Appellants,

The undersigned counsel for the parties stipulate that the above-captioned case is withdrawn with prejudice pursuant to FRAP 42(b). Plaintiffs-Appellees will seek from the United States District Court for the Eastern District of New York fees and costs related to the appeal, to the extent available under the Equal Access to Justice Act, 28 U.S.C. § 2412, or under any other appropriate statute or authority. Defendants-Appellants may oppose any such petition for fees or costs in the district court, which shall determine it in accordance with the relevant law.

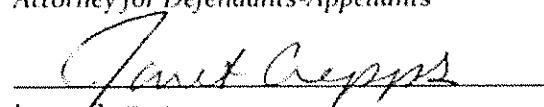
Date: July 23, 2013

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